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2 State Bar No. 11479  
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6 Attorney for Eric Long

7 **UNITED STATES DISTRICT COURT**  
8 **DISTRICT OF NEVADA**  
9

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 ERIC LONG,

14 Defendant.  
15

Case No. 2:21-cr-00229-GMN-BNW

**STIPULATION TO CONTINUE  
SENTENCING HEARING**  
(Fourth Request)

16 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M.  
17 Frierson, United States Attorney, and K. Nicholas Portz, Special Assistant United  
18 States Attorney, counsel for the United States of America, and Rene L. Valladares,  
19 Federal Public Defender, and Joanne L. Diamond, Assistant Federal Public  
20 Defender, counsel for Eric Long, that the Sentencing Hearing currently scheduled  
21 on November 30, 2022, be vacated and continued to a date and time convenient to  
22 the Court, but no sooner than fourteen (14) days.

23 This Stipulation is entered into for the following reasons:

24 1. The Pre-Sentence Report recommends a four-level enhancement  
25 under USSG §2K2.1(b)(6)(B), for using or possessing a firearm in connection with  
26 another felony offense. PSR at ¶23. Counsel for the defendant believes Mr. Long

1 has a valid objection to this enhancement. However, counsel failed to timely raise  
2 an objection as required by LCR 32-1(b) and (d).

3 2. Counsel for the defendant believes she would not be acting as effective  
4 counsel for Mr. Long if she does not seek to raise an untimely objection before  
5 sentencing.

6 3. The additional time requested is to enable counsel for the defendant  
7 to file an untimely objection to paragraph 23 of the Pre-Sentence Report and allow  
8 counsel for the government sufficient time to respond.

9 4. The parties propose the following schedule:

10 The defendant's objections will be due by Friday, December 2, 2022.

11 The government's response will be due by Friday, December 9, 2022.

12 5. The defendant is out of custody and agrees with the need for the  
13 continuance.

14 6. The parties agree to the continuance.

15 This is the fourth request for a continuance of the sentencing hearing.

16 DATED: November 28, 2022.

17  
18 RENE L. VALLADARES  
19 Federal Public Defender

JASON M. FRIERSON  
United States Attorney

20 */s/ Joanne L. Diamond*  
21 By \_\_\_\_\_

22 JOANNE L. DIAMOND  
Assistant Federal Public Defender

*/s/ K. Nicholas Portz*  
By \_\_\_\_\_

23 K. NICHOLAS PORTZ  
24 Special Assistant United States  
25 Attorney  
26

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,  
4  
5 Plaintiff,

6 v.

7 ERIC LONG,  
8 Defendant.

Case No. 2:21-cr-00229-GMN-BNW

**ORDER**

9  
10 IT IS THEREFORE ORDERED that the sentencing hearing currently  
11 scheduled for Wednesday, November 30, 2022 at 9:00 a.m., be vacated and  
12 continued to December 14, 2022 at the hour of 9:00 a.m.

13  
14 IT IS FURTHER ORDERED that the defendant's objections to paragraph  
15 23 of the presentence report are due by Friday, December 2, 2022.

16  
17 IT IS FURTHER ORDERED that the government's response is due by  
18 Friday, December 9, 2022.

19 DATED this 28 day of Nov, 2022.

20  
21   
22 UNITED STATES DISTRICT JUDGE  
23  
24  
25  
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